

Atty. Dkt. No. SALK1520-2
(088802-8752)***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Evans et al.

Title: METHOD FOR MODULATING
EXPRESSION OF EXOGENOUS
GENES IN MAMMALIAN
SYSTEMS, AND PRODUCTS
RELATED THERETO

Appl. No.: 09/042,488

Filing Date: 03/16/1998

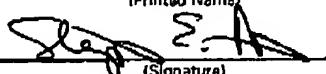
Examiner: S. Kaushal

Art Unit: 1636

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.

Stephen E. Reiter
(Printed Name)


(Signature)

December 13, 2002
(Date of Deposit)

AMENDMENT TRANSMITTALCommissioner for Patents
Washington, D.C. 20231
BOX AF

Sir:

Transmitted herewith is an amendment in the above-identified application.

 Applicants claim small entity status under 37 CFR 1.27. A Petition for Extension of time is enclosed. The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	53	—	55	= 0 x \$18.00 =	\$0.00
Independents:	16	—	16	= 0 x \$84.00 =	\$0.00
First presentation of any Multiple Dependent Claims:				+ \$280.00 =	\$0.00
				CLAIMS FEE TOTAL: =	\$0.00

 Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Atty. Dkt. No. SALK1520-2
(088802-8752)

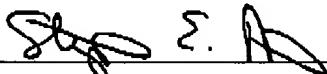
<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$110.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
	EXTENSION FEE TOTAL:		\$110.00
	CLAIMS AND EXTENSION FEE TOTAL:		\$110.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$55.00
	TOTAL FEE:		\$55.00

- Please charge Deposit Account No. 50-0872 in the amount of \$55.00. A duplicate copy of this transmittal is enclosed.
- A check in the amount of \$_____ is enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: December 13, 2002

By 

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Stephen E. Reiter
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DEC. 13. 2002 3:22PM 858 792-6773 FOLEY AND LARDNER

NO. 5480 P. 7

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RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1636

PATENT
Attorney Docket No.: SALK1520-2
(088802-8752)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Evans et al.

Application No.: 09/042,488

Confirmation No.: 5034

Filing Date: March 16, 1998

For: METHOD FOR MODULATING
EXPRESSION OF EXOGENOUS GENES
IN MAMMALIAN SYSTEMS, AND
PRODUCTS RELATED THERETO

Group Art Unit: 1636

Examiner: S. Kaushal

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Stephen E. Reiter

Printed Name

Stephan E. Reiter

December 13, 2002
Date

BOX AF
Commissioner for Patents
Washington, D.C. 20231

RESPONSE UNDER 37 C.F.R. § 1.116

Sir:

Responsive to the Office Action mailed August 13, 2002, please consider the following amendments and remarks. This response is timely as it is accompanied by a petition and the appropriate fee to extend the time for response to December 13, 2002 (one-month extension).

In the claims:

Please replace claims 1, 4, 5, 11, 22-24, 47-52, 54, 58, 59, 61, and 67-77 with the following amended versions thereof:

023.227514.1

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